CHAPTER CONNECTION

A publication of the Evansville Area Human Resources Association

June 2018



What's Inside?

Transforming HR's role in the organization

Mental illness not a defense for poor behavior

Deadline approaching for SHRM scholarships

AFFILIATE OF SHRM® SOCIETY FOR HUMAN RESOURCE MANAGEMENT

SHRM EXCEL GOLD CHAPTER 2016

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HR ASSOCIATION EVANSVILLE AREA HUMAN RESOURCE ASSOCIATION, INC.

June 2018 Volume 19, Number 6

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Learn the keys to transform the HR role at your organizing including stories from HR "Big Dogs".

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EHRA welcomes Margaret Morford who will discuss how to transform HR's role in your organization.

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Legal Update– p.4

Learn how recent rulings will impact your workplace going forward including mental Illness and poor behavior at work, class action waiver ruling and more.

Meeting opp. P5

EHRA is sponsoring a special event with Stephen Williams on the questions employers have on USERRA. Registration details are different from our normal meeting so please see page 5 for details.

President's Letter—P. 6

Upcoming scholarship deadlines and North Central Region annual conference networking nights. Register now!

Welcome—p.7

EHRA has added more new members from local companies. Please help us welcome them to EHRA.

Chapter Connection is a publication of the Evansville-Area Human Resources Association made possible by contributions from it's members and the board of directors. If you have suggestions, please email them to: niclind@atlasworldgroup.com

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ABOUT OUR
EVENT

Running with the Big Dogs

Are you tired of working really hard and being seen as a "necessary evil" within your organization? Margaret Morford identifies six crucial areas which HR professionals need to impact to be seen as contributors (and not just as administrators), and offers numerous suggestions for how to transform HR's role within your organization. Identify the top mistakes that chip away at HR professionals' credibility and understand how your current behavior might be eroding your effectiveness. Margaret will share numerous unsettling questions all HR professionals must ask themselves in order to gain respect from the senior level executives. All of this is interspersed with funny - and not so funny - real life stories and examples from Margaret's career and the careers of other HR "Big Dogs."

SCHEDULE

11:00am-11:30am - Registration and Networking

11:30am-12:00pm - Lunch

12:00pm-1:00pm - Program

LOCATION

Bauerhaus Event Center
13605 Darmstadt Road
Evansville, IN 47725

Map it

COST

Before June 18
Member: $15 Guest: $30

June 18 and later
Member: $20 Guest: $35

ABOUT OUR
SPEAKER



Margaret Morford is CEO for *The HR Edge, Inc.,* an international management consulting and training company. Her clients have included Lockheed Martin, Chevron, Time Warner, Sara Lee Foods, Home and Garden Television, Roche, Nissan North America, HealthStream, Nationwide Insurance, Aegis Sciences Corporation, NAPA Auto Parts, Homeland Security, U.S. Treasury Department, New York Presbyterian Hospital (Cornell & Columbia Medical Centers), Domino's, Chimerix, Schneider Transportation, U.S. Marine Corps, Deloitte, Legislative Assembly of Ontario, Blue Cross Blue Shield, Vanderbilt University, Comcast, Intercontinental Hotel Group, National Institutes of Health, McKee Foods, Skanska, Fox Broadcasting, Schwarz BioSciences, Tractor Supply Company, Cook Medical, Fifth Third Bank, Verizon, Northwestern Mutual Life Insurance Company, SAS (computer software), The Nashville Predators (a National Hockey League franchise), Northrop Grumman, American Pacific Mortgage, Alliance Data, Miami University, Skogen Foods, Wells Fargo, The Peabody Hotel, The Hartford, TECO Energy, AmSurg, Quorum Health Resources, the U.S. Naval Nuclear Submarine Group and various local and state governments. Prior to owning her own company, Margaret was Sr. Vice President, Human Resources Consulting for a national consulting firm out of Winston-Salem, North Carolina. She has a B.S. degree from the University of Alabama and a J.D. degree from the Vanderbilt University School of Law. She has worked as an attorney, specializing in employment law as well as been Vice President of Human Resources for three large companies. She has written for *The Sunday New York Times,* is often quoted as a business expert in newspapers and magazines across the country including *Wall Street Journal, New York Times, Chicago Tribune, USA Today, MSNBC, CBS Money Watch* and *Entrepreneur* and appears regularly on local *ABC, CBS* and *Fox* television affiliates.
She is the author of the business books, "Management Courage – Having the Heart of a Lion" and "The Hidden Language of Business – Workplace Politics, Power & Influence." She has served on the Board of Directors for various corporations and charities.



Mental Illness is not a defense for Unacceptable Behavior: Kimberly Klimczuk a writer for SHRM, wrote about a court case on May 22, 2018. The case as described by Ms. Klimczuk involved an administrative assistant who was on FMLA from July 6 to August 31, 2015 for depression and anxiety disorder. When she returned to her job, the employer (a school district) combined her office with two other administrative assistants. One of her duties was to translate documents between English and Spanish. When asked by her employer to translate a letter, the employee stated she couldn't do the translation because of the noise and confusion. According to the employee, her employer told her that "she needed to multitask or else." She also claimed that her employer lunged at her. When the employee asked "Or else, what?", the employer told her she was being insubordinate. Long story short, the employee called her therapist who instructed her to call an ambulance. She did so two times, but hung up. On the third time, she reported she was having a panic attack. When the ambulance arrived, she was placed on a gurney and as she was wheeled out the door, she yelled "[Y]ou caused it. You did this to me. You both—you—did this to me," in front of the principal, the assistant principal, students and parents. She was placed on leave due to unprofessional and insubordinate conduct toward her supervisor and her 911 hang up calls. The school district terminated her employment due to misconduct. When she sued in court due to her disability and FMLA rights, the court rejected her suit stating that "when an employee engages in behavior that is unacceptable in the workplace, the fact that her behavior is precipitated by her mental illness does not present a case under the ADA." Her behavior justified her discharge in this case. Ms. Klimczuk stated that this is a win for employers who face unacceptable behaviors in the workplace. However, she further states that the specific situation depends on the facts and that all of us should consult with our legal representatives.https://www.shrm.org/ResourcesAndTools/legal-and-compliance/employment-law/Pages/Court-Report-behavior-mental-illness.aspx?_ga=2.180967584.681852271.1527197996-1694893864.1527197996

Supreme Court Ends the Debate and Upholds Class Action Waivers: Christopher Ward, a writer for Employee Benefit News, stated that the Supreme Court has recently voted to end the debate on class action waivers. In 2011, the courts decided in a particular case (AT&T Mobility Servs. V. Concepcion) that individual arbitration provisions in contracts were enforceable and prevented the parties to such contracts from bringing or participating in a class action lawsuit. Some employers then adopted arbitration agreements with these waivers so that they wouldn't be sued in a wage and hour class action lawsuit. However, the NLRB, against the advice of its own attorneys, stated that these waivers violated protections on "concerted activity" found in the National Labor Relations Act. Many courts refused to enforce the NLRB decisions. But the NLRB refused to abide by the federal courts decision. The Supreme Court did have a split of 5-4 in its vote and pointed out that "*courts do not and should not grant deference to an agency's interpretation of a federal law outside its sphere of responsibility.*" Ward stated that "the strength of the (Supreme Court) majority assigned to the Federal Arbitration Act is the most important outcome of the decision. Ward stated that employers who have dispute resolution agreements with the waivers can breathe a sigh of relief from this "long-running legal battle." https://www.benefitnews.com/opinion/supreme-court-ends-the-debate-and-upholds-class-action-waivers

Short-Term Pay Incentives Offered to More Workers at Private and Smaller Companies: Stephen Miller, a SHRM writer, stated recently that small and midsize employers are offering annual raises at approximately 3 percent. Mr. Miller remarked that even though short term incentives (STI) are more commonly done with publicly traded corporations, private companies are using STI's as a means to reward employees at small and midsize companies as well as nonprofit employers. WorldatWork did a survey and 96% had STI programs—up 2 points; STI's increased to an average of 6% of profits; and 66% hourly employees were eligible for yearly bonuses. https://www.shrm.org/ResourcesAndTools/hr-topics/compensation/Pages/short-term-pay-incentives-at-private-and-smaller-companies.aspx?_ga=2.193484202.681852271.1527197996-1694893864.1527197996



EHRA Sponsored Event

APPROVED for 3 SHRM & HRCI Credits

When

June 29, 2018
9:00am – 12pm CST

Where

Cambridge Golf Course
1034 Beacon Hill
Evansville, IN 47725

Cost

FREE

Registration

https://www.esgrevents.org/Events/EventDetails.aspx?Mode=ReadOnly&Id=b61b0544-5ab6-fef5-e9b5-11e81659c317

Program:

This class will include an overview of USERRA, FAQ's that employers have, Links to find information easier, contact information for local, state, and national ombudsman assistance with issues, and finally a question and answer session with on site Ombudsmen. In addition, presentation material will cover the Military Outreach Program (roles of a military outreach coordinator, purpose of the program, how to contact the units and command staff), it will cover the Ombudsman Services (purpose of the services, roles and responsibilities within the program, procedure for requesting services), Employer Outreach Program (importance of the statement of support, sponsored outreach events, roles of program volunteers), Awards Program (purpose, volunteer awards, presidential volunteer awards and employer awards).

Speaker: Stephen Williams



Stephen Williams joined ESGR in 2005 as a volunteer in Evansville. Since that time he has become one of the leading volunteers within the area in hours, training, events, and overall leadership. Stephen is currently pursuing his Bachelor's degree in Homeland Defense at Columbia Southern University. New volunteer training in October 2005; Basic Ombudsman in October 2014; Volunteer Leadership Training in June 2015; Advanced Ombudsman Training in July 2017. Stephen lives in Poseyville with his wife and two daughters. He has received Employer Outreach Volunteer of the year 2015; Military Outreach Volunteer of the year 2016; Regional Ombudsman of the year 2016; Regional Ombudsman of the year 2017, Symbol of Volunteerism 2017, Presidential Volunteer Service Bronze 2014, Silver Award 2015, 2016, and 2017.

PRESIDENT'S**MESSAGE**



Greetings members,

Thank you to all who attended Chris Schrader's presentation at Bauerhaus! We had an entertaining speaker and great food. Coming up this month we are cashing in on our raincheck with Margaret Morford on June 21st. Please note the location of this meeting will be held at Bauerhaus Cove again. Additionally, EHRA is partnering with Employer Support of The Guard and Reserve (ESGR) to offer another recertification opportunity on June 29th.

Along with these two events, we are quickly approaching SHRM's National Conference which is held in Chicago this year. The SHRM North Central Region will be hosting a networking event on Monday, June 18th. If you'd like to register and see additional details click here.

On a state level, the Indiana State Council of SHRM is offering two scholarships; one for certification and one for conference attendance. The deadline to apply for these scholarships is 6/30/18. If you have not attended the State Conference, you are missing out! The link to the scholarship requirements and application submissions can be found here.



Follow EHRA on Twitter @EvansvilleHR

If you have any questions or concerns, please let me know. Thanks for being a member!

Sara

SHRM Tip:

HR Magazine is available to SHRM members to read on your phone as an app! Search for *HR Magazine SHRM* and download the app today!

HR Magazine

EHRA Mission

The mission of the Evansville-Area Human Resource Association, Inc. is to promote professionalism in the area of Human Resource Management by providing opportunities for networking, comprehensive education and proactive support for its members while serving as a resource and advancing initiatives in the community through the enlistment of engaged and talented volunteer leaders.

MEMBER **SPOTLIGHT**

WELCOME TO OUR

NEW MEMBERS*

JEFFERY ELDER IS ONE OF OUR NEW MEMBERS FOR JUNE 2018. JEFFERY IS A BENEFITS AND BUSINESS CONSULTANT AT JENPALE . WHEN ASKED WHY HE CHOSE TO JOIN EHRA, HE MENTIONED THAT HE WANTED TO EDUCATE MORE PEOPLE ON THE SHRM BROKER FINDER PRODUCT. PLEASE HELP US WELCOME JEFFERY AND OUR OTHER NEW MEMBERS.



ELIZABETH **ATTEBURY**

IRELAND HOME BASED SERVICES

TRISH **BERRY**

CHAMPION LABORATORIES

SETH **EASTERDAY**

CROSSPOINT POLYMER TECHNOLOGIES

CHUCK **LONGINO**

BERRY GLOBAL

BRYAN **MAGLINGER**

ONEMAIN FINANCIAL

JAMIE **SILLS**

EVPL

*MEMBERSHIP REQUIRES DUES TO BE PAID TO BE RECOGNIZED IN EHRA SYSTEMS AS A MEMBER

LET US RECOGNIZE YOU (OR A TEAM MEMBER).
IF YOU KNOW OF AN ACCOMPLISHMENT OF ONE OF OUR MEMBERS, SHARE IT WITH US AT NICLIND@ATLASWORLDGROUP.COM

Let Us Show You the RSI Difference!



Like many organizations, you may believe you're receiving a thorough and accurate background check on your applicants – but are you sure?

We routinely catch criminal records that other companies miss. In fact, we do it often.

- Background Screening Reports
- Drug Testing & Physicals
- DOT Expertise & Program Management
- In House Verification Services
- 7 Day Extended Customer Service From Our Real Team
- Industry Leading Compliance Team

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